IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14435 of 2004

Between:

1 D.Subba Rao, S/o. Suryanarayana,
Working in Central Bank of India Farmers Service Cooperative

Society, Pitapuram,
Pitapuram Mandal, E.G. District.
2 N. Bhavani, D/o. Syamsundara Rao,
Working in Central Bank of India Farmers Service Cooperative

Society, Pitapuram,
Pitapuram Mandal, E.G. District.
3 S. Veera Nageswara Rao, S/o. Chinna Rao,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.
4 S. Nageswara Rao, S/o. Brahma Raju,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.
5 S. Vijaya Babu, S/o. Chitti Babu,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.
6 K. Rambabu, S/o. Govinda Raju,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.
7 A.S.V. Satyanarayana, S/o. suryna Rao,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.
8 B. Venkateswara Rao, S/o. Late Suryanarayana,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.

9 T. Raju, S/o. Appa Rao,
Working in Central Bank of India Farmers Service Cooperative Society,

Pitapuram, Pitapuram Mandal, E.G. District.

..... PETITIONERS

AND

1 The Commissioner for Cooperation and Registrar of Cooperative Societies Nampally, Hyderabad.
2 The District Cooperative Officer, E.G. District at Kakinada.
3 The Central Bank of India, Farmers Service Cooperative Society, Pitapuram Pitapuram Mandal, E.G. District. Rep. by its Managing Director.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents in contemplating to terminate the service of the petitioners in the guise of implementing G.O.Ms.No.94, dated 28-2-2004 though the said G.O.Ms.No.94 has no application to the 3rd respondent society as highly illegal, arbitrary and violative of Art. 14 and 21 of the Constitution of India and also contrary to the provisions of A.P.C.S.Act

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondents 1 and 2: GP FOR COOPERATION

Counsel for the Respondent No.3: None appeared.

The Court made the following order at the admission stage :

ORDER:

Petitioners are members of the third respondent-society. They approached this Court with an apprehension that they are likely to be terminated from services by applying G.O.Ms.No.94 dated 28.02.2004, which is applicable to Primary Agricultural Co-

operative Societies only and it is their contention that the third respondent is not a Primary Agricultural Co-operative Society.

The learned counsel for the third respondent concedes that it is not a Primary Agricultural Co-operative Society and G.O.Ms.No.94 is not applicable to the said society.

In the light of the representation made by the third respondent that G.O.Mss.No.94 dated 28.02.2004 is not applicable to it, the apprehension of the petitioner cannot be treated as an apprehension with any basis.

Writ petition is accordingly disposed of. No order as to costs.

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G,YETHIRAJULU,J

16-08-2004

NOTE: Issue C.C. by tomorrow

B/o

klp

To

1 The Commissioner for Cooperation and Registrar of Cooperative Societies Nampally, Hyderabad.
2 The District Cooperative Officer, E.G. District at Kakinada.
3 The Central Bank of India, Farmers Service Cooperative Society, Pitapuram Pitapuram Mandal, E.G. District. Rep. by its Managing Director.

4 2CCs to G.P. for Co-operation, High Court building, Hyderabad(OUT)

5 2CD copies